

**UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**PATRICK A. REID
TDCJ-CID #1423443**

v.

POPE BENEDICT XVI, ET AL.

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Civ. No. CC-07-433

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S ACTION**

The United States Magistrate Judge filed her Memorandum and Recommendation on December 20, 2007 (D.E. 5) with respect to plaintiff's complaint. (D.E. 1). Petitioner filed no objections. When no timely objection is filed, the Court need only satisfy itself that there is no "clear error" on the face of the record in order to accept the Magistrate Judge's recommendation. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir.1996) (citing FED. R. CIV. P. 72(b) advisory committee's note (1983)).

Plaintiff sues the Catholic Church, Pope Benedict XVI, Cardinal DiNardo and the Diocese of Houston-Galveston pursuant to 42 U.S.C. §1983. The Magistrate Judge recommended that the Court dismiss plaintiff's cause of action because he names no state actor, as required to maintain an action under §1983. Having carefully reviewed the pleadings and motions on file, the Court adopts as

its own the Magistrate Judge's recommended decision. Accordingly, respondent's cause of action is DISMISSED with prejudice.

ORDERED this 18 day of January, 2008.



HAYDEN HEAD
CHIEF JUDGE